

# EXHIBIT 135

ROBINS KAPLAN LLP  
Amy Churan (SBN 216932)  
AChuran@RobinsKaplan.com  
2049 Century Park East, Suite 3400  
Los Angeles, CA 90067  
Telephone: 310 552 0130  
Facsimile: 310 229 5800

Melissa D'Alelio (admitted *pro hac vice*)  
MDAlelio@RobinsKaplan.com  
800 Boylston Street, Suite 2500  
Boston, MA 02199  
Telephone: 617 267 2300  
Facsimile: 617 267 8288

Attorneys for Defendants Ironshore Specialty Insurance  
Company; Certain Underwriters at Lloyd's, London and  
London market companies Subscribing to Policy No.  
(UMR) B0180PG1902606; Certain Underwriters at  
Lloyd's, London and London market companies  
Subscribing to Policy No. (UMR) B0180PG1902611;  
Certain Underwriters at Lloyd's, London Subscribing to  
Policy No. (UMR) B0180PG1902610; Certain  
Underwriters at Lloyd's, London Subscribing to Policy  
No. (UMR) B0180PG1903066; Certain Underwriters at  
Lloyd's, London Subscribing to Policy No. (UMR)  
B0180PG1902622; Ategrity Specialty Insurance  
Company; and RSUI Indemnity Company

(Additional counsel listed on following page)

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES**

JRK PROPERTY HOLDINGS, INC.,

Plaintiff,

v.

COLONY INSURANCE  
COMPANY, et al.

Defendants.

Case No. 21STCV19983

**DEFENDANTS' NOTICE OF MOTION AND  
MOTION FOR JUDGMENT ON THE PLEADINGS**

Memorandum of Points and Authorities, Declaration of  
Amy M. Churan, other papers referenced in the  
Motion, and [Proposed] Order filed concurrently  
herewith

RESERVATION NO. 280833900024

Date: April 6, 2022

Time: 8:30 a.m.

Complaint Filed: May 27, 2021  
Judge: Hon. Daniel S. Murphy  
Department: 32

**ADDITIONAL DEFENDANTS' COUNSEL**

Counsel	Defendants
<p>DENTONS US LLP            Julia M. Beckley (SBN 247493)            2000 McKinney Avenue, Suite 1900            Dallas, Texas 75201            Tel (214) 259-1854            Fax (214) 259-0910  <a href="mailto:julia.beckley@dentons.com">julia.beckley@dentons.com</a></p> <p>G. Richard Dodge , Jr. (<i>pro hac vice</i> application pending)            1900 K Street NW            Washington, DC 20006            Tel (202)496-7500            Fax (202) 496-7756  <a href="mailto:rich.dodge@dentons.com">rich.dodge@dentons.com</a></p> <p>Keith Moskowitz (<i>pro hac vice</i> application pending)            233 South Wacker Drive, Suite 5900            Chicago, IL 60606-6361            Tel (312) 876-8220            Fax (312) 876 7934  <a href="mailto:keith.moskowitz@dentons.com">keith.moskowitz@dentons.com</a></p>	<p>Attorneys for Defendant            American International Group UK            Limited as Subscriber to Policy No.            (UMR) BO180PG1902606</p>
<p>CUMMINS &amp; WHITE, LLP            Larry M. Arnold (SBN 060459)            Margaret R. Miglietta (SBN 116026)            Noura K. Rizzuto (Bar No. 291455)            2424 S.E. Bristol Street, Suite 300            Newport Beach, CA 92660-0757            Tel (949) 852-1800            Fax (949) 852-8510  <a href="mailto:larnold@cwlawyers.com">larnold@cwlawyers.com</a>  <a href="mailto:mmiglietta@cwlawyers.com">mmiglietta@cwlawyers.com</a>  <a href="mailto:nrizzuto@cwlawyers.com">nrizzuto@cwlawyers.com</a></p> <p>STEWART SMITH            William F. Stewart (admitted <i>pro hac vice</i>)            300 Four Falls Corporate Center            300 Conshohocken Road, Suite 670            West Conshohocken, PA 19428            Tel (484) 344-5296            Fax (484) 534-9470  <a href="mailto:WStewart@stewartsmithlaw.com">WStewart@stewartsmithlaw.com</a></p>	<p>Attorneys for Defendant            Colony Insurance Company</p>

Counsel	Defendants
<p>KENNEDYS CMK LLP  Susan Frances Dent (SBN 292900)  101 California Street, Suite 1225  San Francisco, CA 94111  Tel (415) 323-4460  Fax (415) 323-4445  <a href="mailto:Susan.Dent@kennedyslaw.com">Susan.Dent@kennedyslaw.com</a></p> <p>Gary S. Kull (<i>pro hac vice</i> application pending)  120 Mountain View Boulevard  Basking Ridge, NJ 07920  Tel (908) 848-6300  Fax (908) 647-8390  <a href="mailto:Gary.Kull@kennedyslaw.com">Gary.Kull@kennedyslaw.com</a></p>	<p>Attorneys for Defendant  Crum &amp; Forster Specialty Insurance  Company</p>
<p>CLYDE &amp; CO US LLP  Susan Koehler Sullivan (SBN 156418)  Brett Charles Safford (SBN 292048)  355 S. Grand Avenue, Suite 1400  Los Angeles, CA 90071  Telephone: (213) 358-7600  Facsimile: (213) 358-7650  <a href="mailto:susan.sullivan@clydeco.us">susan.sullivan@clydeco.us</a>  <a href="mailto:brett.safford@clydeco.us">brett.safford@clydeco.us</a></p>	<p>Attorneys for Defendants  Endurance American Specialty  Insurance Company; and  Maxum Indemnity Company</p>
<p>DICKINSON WRIGHT RLLP  Bennett Evan Cooper (SBN 128544)  800 W. California Avenue, Suite 110  Sunnyvale, California 94086  Tel: (602) 285-5044  Fax: (844) 670-6009  <a href="mailto:bcooper@dickinsonwright.com">bcooper@dickinsonwright.com</a></p>	<p>Attorneys for Defendant  Evanston Insurance Company</p>
<p>MUSICK, PEELER &amp; GARRETT LLP  David A. Tartaglio (SBN 117232)  624 South Grand Avenue, Suite 2000  Los Angeles, CA 90017-3383  Tel (213) 629-7600  Fax (213) 624-1376  <a href="mailto:d.tartaglio@musickpeeler.com">d.tartaglio@musickpeeler.com</a></p> <p>WILEY REIN LLP  Benjamin C. Eggert (<i>pro hac vice</i> forthcoming)  Joseph W. Gross (<i>pro hac vice</i> forthcoming)  2050 M Street NW  Washington, DC 20036  Tel (202) 719-7000  Fax (202) 719-7049  <a href="mailto:BEggert@wiley.law">BEggert@wiley.law</a>  <a href="mailto:JGross@wiley.law">JGross@wiley.law</a></p>	<p>Attorneys for Defendant  General Star Indemnity Company</p>

Counsel	Defendants
<p>AKERMAN, LLP Michael R. Weiss (SBN 180946) 601 West Fifth Street, Suite 300 Los Angeles, CA 90071 Tel (213) 688-9500 Fax (213) 627-6342 <a href="mailto:Michael.Weiss@akerman.com">Michael.Weiss@akerman.com</a></p> <p>Bryan G. Scott (<i>pro hac vice</i> forthcoming) 100 North Main Street, Suite 2425 Winston-Salem, NC 27101 Tel (336) 296-7104 Fax (336) 296-7010 <a href="mailto:Bryan.Scott@akerman.com">Bryan.Scott@akerman.com</a></p> <p>LEWIS BRISBOIS BISGAARD &amp; SMITH LLP Seth I. Weinstein (<i>pro hac vice</i> forthcoming) 77 Water Street, 21st Floor New York, NY 10005 Tel (212) 232-1300 Fax (212) 232-1399 <a href="mailto:Seth.Weinstein@lewisbrisbois.com">Seth.Weinstein@lewisbrisbois.com</a></p>	<p>Attorneys for Defendants Homeland Insurance Company; and Hallmark Specialty Insurance Company</p>
<p>FAEGRE DRINKER BIDDLE &amp; REATH LLP Kristopher S. Davis (SBN 193452) 1800 Century Park East Suite 1500 Los Angeles, CA 90067-1517 Tel (310) 203-4000 Fax (310) 229-1285 <a href="mailto:kristopher.davis@faegredrinker.com">kristopher.davis@faegredrinker.com</a></p> <p>RIKER DANZIG SCHERER HYLAND &amp; PERRETTI LLP Brian E. O'Donnell (<i>pro hac vice</i> application pending) Maura C. Smith (<i>pro hac vice</i> application pending) Headquarters Plaza One Speedwell Avenue Morristown, NJ 07962-1981 Tel (973) 538-0800 Fax (973) 538-1984 <a href="mailto:bodonnell@riker.com">bodonnell@riker.com</a> <a href="mailto:msmith@RIKER.com">msmith@RIKER.com</a></p>	<p>Attorneys for Defendant Mitsui Sumitomo Insurance Company of America</p>

Counsel	Defendants
<p>           PHELPS DUNBAR LLP            Jay R. Sever (SBN 165859)            365 Canal Street, Suite 2000            New Orleans, LA 70130-6534            Tel (504) 566-1311            Fax (504) 568-9130  <a href="mailto:jay.sever@phelps.com">jay.sever@phelps.com</a> </p> <p>           SELMAN BREITMAN LLP            Meka Moore (SBN 180017)            Damian L. Palombi (SBN 311252)            11766 Wilshire Boulevard, 6th Floor            Los Angeles, CA 90025-6538            Tel (310) 445-0800            Fax (310) 473-2525  <a href="mailto:mmoore@selmanlaw.com">mmoore@selmanlaw.com</a>  <a href="mailto:dpalombi@selmanlaw.com">dpalombi@selmanlaw.com</a> </p>	<p>           Attorneys for Defendant            Scottsdale Insurance Company         </p>

ROBINS KAPLAN LLP  
 ATTORNEYS AT LAW  
 LOS ANGELES

NOTICE OF MOTION AND MOTION FOR JUDGMENT ON THE PLEADINGS

v

TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD: PLEASE TAKE NOTICE THAT on April 6, 2022 at 8:30 a.m., or as soon thereafter as counsel can be heard, in the above-entitled Court in Department 32 located at 111 North Hill Street, Los Angeles, CA 90012, Defendants Ironshore Specialty Insurance Company; Certain Underwriters at Lloyd's, London and London market companies Subscribing To Policy No. (UMR) B0180PG1902606; Certain Underwriters at Lloyd's, London and London market companies Subscribing To Policy No. (UMR) B0180PG1902611; Certain Underwriters at Lloyd's, London Subscribing To Policy No. (UMR) B0180PG1902610; Certain Underwriters at Lloyd's, London Subscribing To Policy No. (UMR) B0180PG1903066; Certain Underwriters at Lloyd's, London Subscribing To Policy No. (UMR) B0180PG1902622; Ategrity Specialty Insurance Company; RSUI Indemnity Company; American International Group UK Limited; Colony Insurance Company; Crum & Forster Specialty Insurance Company; Endurance American Specialty Insurance Company; Maxum Indemnity Company; Evanston Insurance Company; General Star Indemnity Company; Homeland Insurance Company; Hallmark Specialty Insurance Company; Mitsui Sumitomo Insurance Company of America; and Scottsdale Insurance Company (collectively, "Defendants"), will and hereby do move for judgment on the pleadings regarding Plaintiff JRK Holding Company, Inc.'s (JRK's) Complaint.


The Motion for Judgment on the Pleadings is brought pursuant to section 438 of the California Code of Civil Procedure on the grounds that the causes of action fail to state a claim against Defendants. As set forth in the Joint Stipulation Regarding Briefing Schedule and Citations to Policy Provisions, dated January 14, 2022, and entered by the Court on January 18, 2022, and in accordance with section 439 of the California Code of Civil Procedure, JRK and the Defendants met and conferred on January 7, 2022, to discuss the issues raised in the Defendants' Motion for Judgment on the Pleadings. JRK and the Defendants met and conferred in good faith but were not able to reach an agreement that would resolve the arguments to be raised in Defendants' Motion.

The Motion for Judgment on the Pleadings is based on this Notice, the accompanying Memorandum of Points and Authorities, the Declaration of Amy M. Churan, the pleadings and records on file, such further papers as may be filed by Defendants or JRK in connection with this

Motion, and such other evidence and arguments as may be presented to the Court prior to or at the hearing on this Motion.

DATED: January 21, 2022

**ROBINS KAPLAN LLP**

By:   
Amy M. Churan  
Melissa D'Alelio

Attorneys For Defendants Ironshore Specialty Insurance Company; Certain Underwriters at Lloyd's, London and London market companies Subscribing to Policy No. (UMR) B0180PG1902606; Certain Underwriters at Lloyd's, London and London market companies Subscribing to Policy No. (UMR) B0180PG1902611; Certain Underwriters at Lloyd's, London Subscribing to Policy No. (UMR) B0180PG1902610; Certain Underwriters at Lloyd's, London Subscribing to Policy No. (UMR) B0180PG1903066; Certain Underwriters at Lloyd's, London Subscribing to Policy No. (UMR) B0180PG1902622; Ategrity Specialty Insurance Company; and RSUI Indemnity Company

**DENTONS US LLP**

/s/ Julia M. Beckley  
Attorneys for Defendant  
American International Group UK Limited  
as Subscriber to Policy No. (UMR)  
BO180PG1902606  
Julia M. Beckley (Bar No. 247493)  
2000 McKinney Avenue, Suite 1900  
Dallas, Texas 75201  
Tel (214) 259-1854  
Fax (214) 259-0910  
[julia.beckley@dentons.com](mailto:julia.beckley@dentons.com)

G. Richard Dodge, Jr. (*pro hac vice* application pending)  
1900 K Street NW  
Washington, DC 20006  
Tel (202) 496-7500  
Fax (202) 496-7756  
[rich.dodge@dentons.com](mailto:rich.dodge@dentons.com)



Keith Moskowitz (*pro hac vice* application pending)  
233 South Wacker Drive, Suite 5900  
Chicago, IL 60606-6361  
Tel (312) 876-8220  
Fax (312) 876 7934  
[keith.moskowitz@dentons.com](mailto:keith.moskowitz@dentons.com)

CUMMINS & WHITE, LLP

/s/ Larry M. Arnold  
Attorneys for Defendant  
Colony Insurance Company  
Larry M. Arnold (Bar No. 060459)  
Margaret R. Miglietta (Bar No. 116026)  
Noura K. Rizzuto (Bar No. 291455)  
2424 S.E. Bristol Street, Suite 300  
Newport Beach, CA 92660-0757  
Tel (949) 852-1800  
Fax (949) 852-8510  
[larnold@cwlawyers.com](mailto:larnold@cwlawyers.com)  
[mmiglietta@cwlawyers.com](mailto:mmiglietta@cwlawyers.com)  
[nrizzuto@cwlawyers.com](mailto:nrizzuto@cwlawyers.com)

STEWART SMITH  
William F. Stewart (admitted *pro hac vice*)  
300 Four Falls Corporate Center  
300 Conshohocken Road, Suite 670  
West Conshohocken, PA 19428  
Tel (484) 344-5296  
Fax (484) 534-9470  
[WStewart@stewartsmithlaw.com](mailto:WStewart@stewartsmithlaw.com)

KENNEDYS CMK LLP

/s/ Susan Frances Dent  
Attorneys for Defendant  
Crum & Forster Specialty Insurance Company  
Susan Frances Dent (Bar No. 292900)  
101 California Street, Suite 1225  
San Francisco, CA 94111  
Tel (415) 323-4460  
Fax (415) 323-4445  
[Susan.Dent@kennedyslaw.com](mailto:Susan.Dent@kennedyslaw.com)

Gary S. Kull (*pro hac vice* application pending)  
120 Mountain View Boulevard  
Basking Ridge, NJ 07920  
Tel (908) 848-6300  
Fax (908) 647-8390  
[Gary.Kull@kennedyslaw.com](mailto:Gary.Kull@kennedyslaw.com)

CLYDE & CO US LLP

/s/ Susan Koehler Sullivan  
Attorneys for Defendants  
Endurance American Specialty Insurance Company;  
and Maxum Indemnity Company  
Susan Koehler Sullivan (Bar No. 156418)  
Brett Charles Safford (Bar No. 292048)  
355 S. Grand Avenue, Suite 1400  
Los Angeles, CA 90071  
Telephone: (213) 358-7600  
Facsimile: (213) 358-7650  
[susan.sullivan@clydeco.us](mailto:susan.sullivan@clydeco.us)  
[brett.safford@clydeco.us](mailto:brett.safford@clydeco.us)

DICKINSON WRIGHT RLLP

/s/ Bennet Evan Cooper  
Attorneys for Defendant  
Evanston Insurance Company  
Bennett Evan Cooper (Bar No. 128544)  
800 W. California Avenue, Suite 110  
Sunnyvale, California 94086  
Tel: (602) 285-5044  
Fax: (844) 670-6009  
[bcooper@dickinsonwright.com](mailto:bcooper@dickinsonwright.com)

MUSICK, PEELER & GARRETT LLP

/s/ David A. Tartaglio  
Attorneys for Defendant  
General Star Indemnity Company  
David A. Tartaglio (Bar No. 117232)  
624 South Grand Avenue, Suite 2000  
Los Angeles, CA 90017-3383  
Tel (213) 629-7600  
Fax (213) 624-1376  
[d.tartaglio@musickpeeler.com](mailto:d.tartaglio@musickpeeler.com)

WILEY REIN LLP

Benjamin C. Eggert (*pro hac vice* forthcoming)  
Joseph W. Gross (*pro hac vice* forthcoming)  
2050 M Street NW  
Washington, DC 20036  
Tel (202) 719-7000  
Fax (202) 719-7049  
[BEggert@wiley.law](mailto:BEggert@wiley.law)  
[JGross@wiley.law](mailto:JGross@wiley.law)

AKERMAN, LLP

/s/ Michael R. Weiss

Attorneys for Defendants  
Homeland Insurance Company; and Hallmark  
Specialty Insurance Company  
Michael R. Weiss (Bar No. 180946)  
601 West Fifth Street, Suite 300  
Los Angeles, CA 90071  
Tel (213) 688-9500  
Fax (213) 627-6342  
[Michael.Weiss@akerman.com](mailto:Michael.Weiss@akerman.com)

Bryan G. Scott (*pro hac vice* forthcoming)  
100 North Main Street, Suite 2425  
Winston-Salem, NC 27101  
Tel (336) 296-7104  
Fax (336) 296-7010  
[Bryan.Scott@akerman.com](mailto:Bryan.Scott@akerman.com)

LEWIS BRISBOIS BISGAARD  
& SMITH LLP

Seth I. Weinstein (*pro hac vice* forthcoming)  
77 Water Street, 21st Floor  
New York, NY 10005  
Tel (212) 232-1300  
Fax (212) 232-1399  
[Seth.Weinstein@lewisbrisbois.com](mailto:Seth.Weinstein@lewisbrisbois.com)

FAEGRE DRINKER BIDDLE & REATH LLP

/s/ Kristopher S. Davis

Attorneys for Defendant  
Mitsui Sumitomo Insurance Company of America  
Kristopher S. Davis (Bar No. 193452)  
1800 Century Park East Suite 1500  
Los Angeles, CA 90067-1517  
Tel (310) 203-4000  
Fax (310) 229-1285  
[kristopher.davis@faegredrinker.com](mailto:kristopher.davis@faegredrinker.com)

RIKER DANZIG SCHERER HYLAND  
& PERRETTI LLP

Brian E. O'Donnell (*pro hac vice* application  
pending)  
Maura C. Smith (*pro hac vice* application pending)  
Headquarters Plaza  
One Speedwell Avenue  
Morristown, NJ 07962-1981  
Tel (973) 538-0800  
Fax (973) 538-1984  
[bodonnell@riker.com](mailto:bodonnell@riker.com)  
[msmith@RIKER.com](mailto:msmith@RIKER.com)

1 PHELPS DUNBAR LLP

2 /s/ Jay R. Sever

3 Attorneys for Defendant

4 Scottsdale Insurance Company

5 Jay R. Sever (SBN 165859)

6 365 Canal Street, Suite 2000

7 New Orleans, LA 70130-6534

8 Tel (504) 566-1311

9 Fax (504) 568-9130

10 [jay.sever@phelps.com](mailto:jay.sever@phelps.com)

11 SELMAN BREITMAN LLP

12 Meka Moore (SBN 180017)

13 Damian L. Palombi (SBN 311252)

14 11766 Wilshire Boulevard, 6th Floor

15 Los Angeles, CA 90025-6538

16 Tel (310) 445-0800

17 Fax (310) 473-2525

18 [mmoore@selmanlaw.com](mailto:mmoore@selmanlaw.com)

19 [dpalombi@selmanlaw.com](mailto:dpalombi@selmanlaw.com)

**PROOF OF SERVICE**

STATE OF CALIFORNIA )  
 ) ss.  
 COUNTY OF LOS ANGELES )

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 2049 Century Park East, Suite 3400, Los Angeles, California 90067-3208.

On January 21, 2022, I served the foregoing document **DEFENDANTS' NOTICE OF MOTION AND MOTION FOR JUDGMENT ON THE PLEADINGS** on the interested parties in this action as follows:

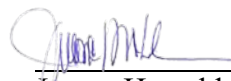
Kevin J. Minnick  
 Sperstus, Landes & Umhofer LLP  
 617 West 7th Street, Suite 200  
 Los Angeles, CA 90017  
 Tel.: 213.205.6520  
[kminnick@spertuslaw.com](mailto:kminnick@spertuslaw.com)

Attorney for Plaintiff  
 JRK PROPERTY HOLDINGS, INC.

**[X] (BY ELECTRONIC SERVICE ):** I caused each document to be sent by electronic transmission through One Legal through the user interface at [www.onelegal.com](http://www.onelegal.com) to all email addresses on the list maintained by One Legal.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on January 21, 2022 at Los Angeles, California.

  
 Jwana Harrold



## Make a Reservation

JRK PROPERTY HOLDINGS, INC. vs COLONY INSURANCE COMPANY, et al.

Case Number: 21STCV19983 Case Type: Civil Unlimited Category: Insurance Coverage (not complex)

Date Filed: 2021-05-27 Location: Stanley Mosk Courthouse - Department 32

### Reservation

Case Name:

JRK PROPERTY HOLDINGS, INC. vs COLONY INSURANCE COMPANY, et al.

Case Number:

21STCV19983

Type:

Motion for Judgment on the Pleadings

Status:

RESERVED

Filing Party:

Ironshore Specialty Insurance Company (Defendant)

Location:

Stanley Mosk Courthouse - Department 32

Date/Time:

04/06/2022 8:30 AM

Number of Motions:

1

Reservation ID:

280833900024

Confirmation Code:

CR-S9EYYRHCCCJ8YJBAZ

### Fees

Description	Fee	Qty	Amount
Motion for Judgment on the Pleadings	60.00	1	60.00
Credit Card Percentage Fee (2.75%)	1.65	1	1.65
TOTAL			\$61.65

### Payment

Amount:

\$61.65

Type:

AmericanExpress

Account Number:

XXXX1000

Authorization:

208006

Print Receipt

Reserve Another Hearing